

# Notice of Allowability

Application No.

09/899,283

Examiner

Wes Tucker

Applicant(s)

KANEDA, KITAHIRO

Art Unit

2623

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 9-7-2004.
2. ☒ The allowed claim(s) is/are 1-3 and 5-11 (renumbered 1-10).
3. ☒ The drawings filed on 06 July 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's response to the last Office Action, filed September 7, 2004 has been entered and made of record.

2. Applicant has amended claims 1, 2, 3, 5, and 7-11. Claim 4 was canceled. Claims 1-3 and 5-11 are pending.

3. Applicant's arguments, see pages 7-10 of Amendment A, filed September 7, 2004, with respect to the rejection(s) of claim(s) 1, 8, and 10 under 35 U.S.C. 102(b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. Claims 1-3, and 5-11 are allowed. Reasons for allowance are given below.

### ***Allowable Subject Matter***

The following is an examiner's statement of reasons for allowance:

With regard to claim 1, U.S. Patent 5,822,454 to Rangarajan discloses a system and method for automatic page registration and alignment that uses a reference image of a form to align or compensate additional images for skew and/or displacement (see abstract). The image is detected and the blocks inside the image are used to align the image form (column 6, lines 56-67). The top left corners of the blocks are also determined for each of the blocks (column 8, lines 24-31). However Rangarajan does not teach or fairly suggest using the uppermost and leftmost points obtained to

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represent a target point to be used for alignment and offset determination as claimed.

The same discussion applies to independent claims 8 and 10.

With regard to claim 1, U.S. Patent 5,854,854 to Cullen et al. discloses a method in the environment of the present application for determining segments or areas of an obtained image of a document and aligning those areas in a desired way. Cullen discloses using the coordinates of the upper left hand corners of image area blocks in order to calculate and correct for the skew and offset of the image areas (column 12, line 15 – column 13, line 64). However Cullen does not teach or fairly suggest determining the uppermost, left most of the coordinates of the blocks and designating that point as target position in the reference image and then calculating the offset of the image blocks as claimed. The same discussion applies to independent claims 8 and 10.

With regard to claim 1, U.S. Patent 5,870,508 to Park discloses automatically aligning misaligned image data with scanned fiducial coordinates and even x and y base lines (column 3, lines 15-45), but does not disclose finding the upper most and left most coordinates of a plurality of image areas and choosing the upper most and left most of all of the coordinates to act as a target position as claimed. The same discussion applies to independent claims 8 and 10.

***Prior Art***

Other prior art considered pertinent, but not relied upon is as follows:

U.S. Patent 5,517,587 to Baker et al. teaches automatically aligning image data using text and a top and left margin.

U.S. Patent 5,506,918 to Ishitani teaches aligning a document image using text and non-text portions to determine skew angles.

***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wes Tucker whose telephone number is 703-305-6700. The examiner can normally be reached on 9AM-5PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (703)308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Wes Tucker

12-1-2004

  
Jon Chang  
Primary Examiner